



Inventor: Jean-Louis CLAVEL et al

Appln. No. \_\_\_\_\_

Docket No.: 022650-726

Work Atty: MKB/cr

Date: July 3, 2003

Title: PROCESS FOR PREPARING 4-TRIFLUOROMETHYLSULFINYLPIRAZOLE DERIVATIVE



The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Utility Patent Application Transmittal   | <input checked="" type="checkbox"/> Copy of Executed Declaration/Power of Attorney from parent 10/111,000 | <input checked="" type="checkbox"/> Check for \$ <u>1,902.00</u> is enclosed                           |
| <input type="checkbox"/> Design Patent Application Transmittal  | <input type="checkbox"/> Unexecuted Declaration/Power of Attorney   | <input type="checkbox"/> Check for \$___ is enclosed   |
| <input type="checkbox"/> Continuing Prosecution Application Request   | <input type="checkbox"/> Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)                    | <input type="checkbox"/> Charge \$___ to Deposit Account   |
| <input type="checkbox"/> Provisional Application Cover Sheet  | <input type="checkbox"/> Claim for Convention Priority w/_ certified copy(s)                              | <input checked="" type="checkbox"/> Letter Accompanying Filing of Div. Appln. Under 37 C.F.R. §1.53(b) |
| <input type="checkbox"/> Provisional Application Transmittal  | <input type="checkbox"/> Preliminary Amendment  | <input type="checkbox"/>   |
| <input checked="" type="checkbox"/> Continuation/Divisional Application (Rule 1.53(b)) with copy of application | <input checked="" type="checkbox"/> Information Discl. Stmt. Transmittal Letter                           | <input type="checkbox"/>   |
| <input type="checkbox"/> Request for Continued Examination  | <input checked="" type="checkbox"/> First Information Disclosure Citation (PTO-1449)                      | <input type="checkbox"/>   |
| INCLUDING:  | <input checked="" type="checkbox"/> First Information Disclosure Statement w/copies of ISR & IPER         | <input type="checkbox"/>   |
| <input checked="" type="checkbox"/> Specification (pages 1 - <u>19</u> )  | <input type="checkbox"/> Petition for ___ Month Extension of Time   |  |
| <input checked="" type="checkbox"/> Claims (claim(s) 1 - <u>70</u> , <u>21</u> pgs.)                            | <input type="checkbox"/> General Authorization for Petitions for Extensions of Time and Payment of Fees   |  |
| <input type="checkbox"/> Drawings (Fig(s). 1 - ___ pgs.)  |   |  |
| <input checked="" type="checkbox"/> Abstract of the Disclosure (1 page)   |   |  |



Handwritten marks: 13, 9, 2

21909 U.S. PTO  
10/611979  
07/03/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)

MAIL STOP PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



21839

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 10/111,000 filed on August 15, 2002, for PROCESS FOR PREPARING 4-TRIFLUOROMETHYLSULFINYL PYRAZOLE DERIVATIVE, by the following named inventor(s):

- (a) Full Name Jean-Louis CLAVEL
- (b) Full Name Isabelle PELTA
- (c) Full Name Sylvie LE BARS
- (d) Full Name Philippe CHARREAU

- ☐ Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
- ☐ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

- ☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

- ☐ Applicant(s) suggests Figure    for inclusion on the front page of the patent application publication and/or patent.
- ☐ Applicant(s) requests that the published application include the following assignment information:   .
1. ☐ Enclosed is a copy of the prior Application No.    as originally filed on   , including copies of the specification, claims, drawings and the executed oath or declaration as filed.
  2. ☒ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
  3. ☐ Small entity status is hereby claimed.
  4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

CLAIMS					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$750.00 (1001)
Total Claims	70	MINUS 20 =	50	× \$18.00 (1202) =	\$900.00
Independent Claims	6	MINUS 3 =	3	× \$84.00 (1201) =	\$252.00
If multiple dependent claims are presented, add \$280.00 (1203)					\$0.00
Total Application Fee					\$1,902.00
If small entity status is claimed, subtract 50% of Total Application Fee					\$0.00
Add Assignment Recording Fee of \$ <u>  </u> if Assignment document is enclosed					\$0.00
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$1,902.00</b>

5. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☐ Charge \$            to Deposit Account No. 02-4800 for the fee due.
7. ☒ A check in the amount of \$ 1,902.00 is enclosed for the fee due.
8. ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

9. ☐ Cancel in this application original claims \_ of the prior application before calculating the filing fee.
10. ☐ New drawings are enclosed.
11. ☐ Priority of Application No. \_\_\_\_\_ filed on \_ in \_ (country) is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application
- ☐ is enclosed.
- ☐ has not yet been filed.
12. ☐ Please amend the specification by inserting before the first line the sentence:
- ☐ --This application is a ☐ continuation ☐ divisional of Application No. \_\_, filed on \_\_--.
- ☐ --This application is a ☐ continuation ☐ divisional of U.S. Application No. \_\_, filed on \_\_, which was a national stage filing under 35 U.S.C. § 371 of International Application No. \_ filed on \_\_--.
- ☐ --This application is a ☐ continuation ☐ divisional of U.S. Application No. \_\_, filed on \_\_, which was a continuation of International Application No. \_\_, filed on \_\_--.
13. ☐ A preliminary amendment is enclosed.
14. ☒ An Information Disclosure Statement, IDS Transmittal Letter, Form PTO-1449, and copies of the ISR and IPER in corresponding PCT/EP99/08687 are enclosed.
15. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
16. ☒ Also enclosed is a Letter Accompanying Filing of Divisional Application Under 37 C.F.R. §1.53(b).
17. ☐ The power of attorney in the prior application is to all partners of BURNS, DOANE, SWECKER & MATHIS, L.L.P. and Mary Katherine Baumeister. Registration No. 26,254 and George F. Lesmes. Registration No. 19,995.
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☐ Recognize as Associate Attorney \_.

- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

Date: July 3, 2003

By: Mary Katherine Baumeister  
Mary Katherine Baumeister  
Registration No. 26,254

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

☐ inventor(s)  
☐ assignee of complete interest  
☒ attorney or agent of record  
☐ filed under 37 C.F.R. § 1.34(a)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Jean-Louis CLAVEL et al	)	Group Art Unit:
	)	
Application No.:	)	Examiner:
	)	
Filed: July 3, 2003	)	Confirmation No.:
	)	
For: PROCESS FOR PREPARING	)	37 C.F.R. §1.53(b) Divisional of
4-TRIFLUOROMETHYLSULFINYL-	)	Application No. 10/111,000,
PYRAZOLE DERIVATIVE	)	filed August 15, 2002, now allowed
	)	

**LETTER ACCOMPANYING FILING OF DIVISIONAL APPLICATION**  
**UNDER 37 C.F.R. §1.53(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The accompanying divisional application is being filed with an amended specification and claims.

The specification has been amended to include a complete cross-reference to the earlier U.S. and international applications and to Americanize spelling.

The claims have been amended to place them in better form for examination on the merits in the United States. The claims have been amended to remove multiple dependencies, to use American spelling and to otherwise comply with U.S. practice. Rewriting the claims without using multiple dependent claims has resulted in a larger number of total claims than in the PCT application. Support for Claims 1-70 can be found in Claims 1-31 of the parent application as originally filed as PCT/EP99/08687 and throughout the specification, including the Examples, of the subject application. In large part, new Claims 1-32 correspond to PCT Claims 9-16; new Claims 33-62 correspond to PCT Claims 17-25; and new Claims 63-70 correspond to PCT Claims 26-30. However, some of the most specific of the new claims are based on the disclosure in the specification, including the Examples. The subject matter of PCT Claims 1-8 has been cancelled because

it has been allowed in the parent application. The subject matter claimed herein corresponds to that of Groups III through X of the restriction requirement set forth in the Interview Summary of March 10, 2003 in parent Appln. No. 10/111,000. No new matter has been added by this amendment.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 3, 2003

By: Mary Katherine Baumeister  
Mary Katherine Baumeister  
Registration No. 26,254

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620